

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,)	Cause No. CR-21-62-GF-BMM
)	
Plaintiff,)	
)	
vs.)	
)	
MICHAEL JAMES BURKE,)	ORDER GRANTING
)	DEFENDANT’S MOTION FOR
)	LEAVE TO FILE MOTION FOR
Defendants.)	BILL OF PARTICULARS OUT
)	OF TIME
)	

Before the Court is the Defendant’s Motion for Leave to File Motion for Bill of Particulars Out of Time. Doc. 33. The Government opposes this Motion.

Rule 7(f) provides that a “defendant may move for a bill of particulars before or within 14 days after arraignment or at a later time if the court permits.” Fed. R. Crim. P. 7(f). The Defendant acknowledges that he did not file his motion within Rule 7(f)’s 14-day window following his arraignment. Doc. 34, p. 1. Rule 7(f) provides the Court with authority to establish a different deadline for the filing of a Motion seeking a Bill of Particulars.

The Court established a different deadline for Defendant’s pretrial motions, which states that pretrial motions are due May 20, 2022. Doc. 32, p. 3. The Defendant sought leave of Court to file his Motion for Bill of Particulars on April

28, 2022, which was well in advance of the Court's May 20, 2022 pretrial motions deadline.

Accordingly, **IT IS ORDERED** that the Defendant's Motion for Leave to File Motion for Bill of Particulars Out of Time (Doc. 33) is **GRANTED**. The Defendant shall file his Motion and an accompanying Brief in Support within one week of this Order.

DATED this 3rd day of May, 2022.

A handwritten signature in blue ink that reads "Brian Morris". The signature is written in a cursive, flowing style.

Brian Morris, Chief District Judge
United States District Court